

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

UNITED STATES OF AMERICA,)	CASE NO. 5:06 CR 134
)	
)	
PLAINTIFF)	JUDGE PETER C. ECONOMUS
)	
)	
v.)	
)	
)	
)	ORDER ACCEPTING PLEA
)	AND JUDGMENT
)	
KURT KELLER)	
)	
)	
DEFENDANT.)	

This matter is before the Court upon the Report and Recommendation, see (Dkt. # 50), issued by United States Magistrate Judge James S. Gallas regarding the plea hearing of Kurt Keller, which was referred to the Magistrate Judge upon the consent of the parties.

On March 31, 2006, the Grand Jury for the United States District Court for the Northern District of Ohio issued an Indictment against the Defendant charging violations of 18 U.S.C. § 1955 & 2. See (Dkt. # 1).

The Defendant appeared before Magistrate Judge Gallas on August 14, 2006 for a change of plea hearing, represented by counsel, Attorney Matthew Fortado. The Defendant thereafter entered a plea of guilty to Count I, a violation of 18 U.S.C. § 1955 & 2. Magistrate Judge Gallas received the Defendant's guilty plea and issued a Report and Recommendation recommending that this Court accept the plea and enter a finding of guilty. See (Dkt. # 50).

Neither party objected to the Report and Recommendation during the ten days following its issuance.

This Court has engaged in a *de novo* review of the record and hereby adopts the Report and Recommendation. The Defendant was found to be competent to enter a plea. The Defendant understood his constitutional rights. He is aware of the consequences of entering a plea. There is an adequate factual basis for the plea. Consequently, this Court finds that the plea was entered knowingly, intelligently, and voluntarily.

The Court therefore approves the Defendant's plea of guilty. The Defendant is **ADJUDGED** guilty of Count I of the Indictment charging a violation of 18 U.S.C. § 1955 & 2.

IT IS SO ORDERED.

/s/ Peter C. Economus - September 12, 2006
PETER C. ECONOMUS
UNITED STATES DISTRICT JUDGE